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Attorneys for Plaintiff Strike 3 Holdings, LLC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP
address 108.35.153.139,

Defendant.

Civil Case No. 2:18-cv-14128-WJM-MF

**PLAINTIFF'S NOTICE OF
MOTION FOR LEAVE TO SERVE
A THIRD PARTY
SUBPOENA PRIOR TO A RULE
26(f) CONFERENCE AND
REQUEST FOR ORAL
ARGUMENT**

**TO: ALL COUNSEL OF RECORD IN THE ABOVE CAPTIONED
MATTER**

PLEASE TAKE NOTICE that on November 5, 2018, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Strike 3 Holdings, LLC ("Plaintiff") will appear before the Honorable Mark Falk, U.S.M.J., of the United States District Court for the District of New Jersey, at the

Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101, to move this Court pursuant to Rule 26 for an Order granting Plaintiff leave to serve a third party subpoena on Defendant's Internet Service Provider prior to the Rule 26(f) conference.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Plaintiff will rely upon the accompanying Brief and Declarations of Greg Lansky, Tobias Fieser, John S. Pasquale, and Susan B. Stalzer, submitted herewith; any reply papers in support of this Motion; and oral argument, if any.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 7.1(e), a proposed form of order is also submitted herewith for the Court's consideration.

DATED: 10/11/2018

Respectfully submitted,

FOX ROTHSCHILD LLP

*Attorneys for Plaintiff,
Strike 3 Holdings, LLC*

By: /s/ John C. Atkin, Esq.
JOHN C. ATKIN